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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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FEB 23 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Cliff Stearns
House of Representatives
1123 Longworth Building
Washington, D.C. 20515

Dear Congressman Stearns:

This is in reply to your letter of February 5, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

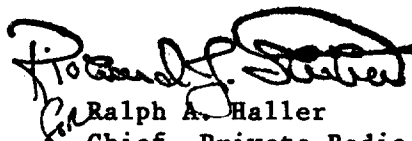
Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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List A B C D E

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller". The signature is stylized with a large, sweeping initial "R" and "A".

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:

Notice

Order

Discussion paper

Congressional

DUE OBC: 2-17-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/09/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300487	02/09/93	02/05/93	02/22/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Cliff Stearns	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRE/Amos 2-10-93			

DATE	DATE	DATE	DATE
02/09/93			

REMARKS:

RECEIVED
FEB 10 2 03 PM '93
PRIVATE RADIO BUREAU
F.O.I.

CLIFF STEARNS
6TH DISTRICT, FLORIDA

COMMITTEES:

**BANKING, FINANCE AND
URBAN AFFAIRS**

VETERANS' AFFAIRS

SELECT COMMITTEE ON AGING



Congress of the United States
House of Representatives
Washington, DC 20515-0906

PRB
92-235
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REPLY TO:

1123 LONGWORTH BUILDING
WASHINGTON, DC 20515-0906
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FLORIDA DISTRICT OFFICES:

115 S.E. 25TH AVENUE
OCALA, FL 32671
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FAX: (904) 351-8011

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SUITE 318

GAINESVILLE, FL 32601
(904) 372-0382

111 S. 6TH STREET
LEESBURG, FL 34748
(904) 326-8285

February 5, 1993

Mr. Lou Sizemore
Director, Legislative Affairs
Office of Legislative Affairs
Federal Communications Commission
1919 "M" Street, N.W.
Washington, D.C. 20554

Dear Mr. Sizemore:

Please find enclosed copies of letters from Mr. David Neiman of Mt. Dora, FL, Mr. Richard Crowe and Mr. William Billenstein of Ocala, FL regarding their concerns over the FCC's proposed rule changes in PR Docket 92-235.

I would appreciate an explanation of these proposed rules so that I may relay the FCC's reasoning behind these proposed rules.

Thank you for your assistance in this matter.

Sincerely,

Cliff Stearns
Cliff Stearns
Member of Congress

CS/jcl

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FEB 05 1993

74039
January 27, 1993

The Honorable Clifford B. Stearns
1123 Longworth House Office Building
Washington DC 20510

Assigned to SCU
Post Card _____
Response Code _____
Logged in _____

Dear Mr. Stearns:

I am retired and derive many hours of enjoyment from constructing and operating radio controlled model airplanes. I am very concerned about the proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This Band is primarily used for private land dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control model airplanes, only 19 of the frequencies will be left if these new rules are adopted.

When we fly model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve careful coordination and use of radio frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that model airplanes have wing spans up to and in excess of ten feet and weigh thirty or forty pounds. The models themselves are expensive to build; but more to the point, they're capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have considerable investment in our models and in our radio equipment.

The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me to continue the safe enjoyment of my pastime by not allowing the FCC to carry out their proposals for the 72-76 MHz band.

Sincerely

William B. Benson

FEB 05 1993

74040

The Honorable Clifford B. Stearns
1123 Longworth House Office Building
Washington DC 20510

Assigned to JCL
Post Card _____
Response Code _____
Logged in _____

January 27, 1993

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Sincerely

Richard Lowe
10813 SW 83 Ave
Ocala, FL 34481

74034
1149 Orange Avenue
Mount Dora, Florida 32757-3635

January 29, 1993

The Honorable Cliff Stearns
1123 Longworth House Office Bldg.
Washington DC 20515

Dear Mr. Stearns:

I am writing to comment against Federal Communications Commission PR Docket 92-235 and solicit your help in defeating this proposal.

I am an active radio control model airplane flier. The FCC has proposed to let land mobile radio (cellular telephones) utilize the frequency spectrum currently reserved for radio control model airplanes. If the FCC allocates portions of the 72 - 76 MHz radio spectrum to land mobile use, it will cause an immediate safety hazard and eventually destroy the radio control hobby. All of my radio control systems are new and in the portion of the radio spectrum the FCC proposes to ruin.

I am very concerned for the safety of radio control fliers and spectators. Although I build my models to be as light weight as possible, several weigh over 25 pounds. And while they are constructed primarily of balsa wood and plastic foam, the front of the models contain gasoline powered metal engines and propellers turning over 10,000 rpm. If higher-power mobile radios are permitted to use "my" spectrum, they can drive past my flying site and cause my controlled model to become an uncontrolled missile. Think of the damage to people and property that a 25 pound projectile traveling uncontrolled at 100 mph can do.

I am sure the FCC is under tremendous pressure from commercial interests to make additional channels available for mobile telephones. But if the action proposed by the FCC is carried out, it will amount to a criminal theft of my hobby. Please intervene on behalf of me and the hundreds of thousands of modelers, and let the FCC know that their proposed action is unwise, unfair, and unsafe.

Yours very truly,



David J. Neiman

FEB 0 1992

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Post Card _____
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